

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

CATAWBA RIVERKEEPER  
FOUNDATION  
and CLEAN AIR CAROLINA,

Plaintiffs,

v.

NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION; NICHOLAS J.  
TENNYSON, Secretary, NCDOT;  
FEDERAL HIGHWAY  
ADMINISTRATION; and JOHN F.  
SULLIVAN, Division Administrator, FHWA,

Defendants.

Chief Judge James C. Dever, III

No. 5:15-CV-29-D

ORDER GRANTING  
UNOPPOSED MOTION TO WITHDRAW  
APPLICATION FOR FEES

Plaintiffs Catawba Riverkeeper and Clean Air Carolina ("the Conservation Groups") have moved for permission to withdraw their Petition for Attorneys' Fees under the Equal Access to Justice Act, 28 U.S.C. § 2412, in light of the settlement reached with the Federal Highway Administration and Division Administrator John F. Sullivan ("Federal Defendants"). Having carefully considered the motion, and having noted that it is unopposed, the Court grants the motion.

SO ORDERED. This 30 day of April, 2018.

  
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Judge James C. Dever, III  
CHIEF DISTRICT JUDGE